

451205

UNITED STATES OF AMERICA
ENVIRONMENTAL PROTECTION AGENCY
PUBLIC HEARING

* * * * *

IN RE: WHITMOYER LABORATORIES
SUPERFUND SITE

* * * * *

BEFORE: Lisa Brown, Community
Involvement Coordinator
Bhupi D. Khona, U.S. EPA
Christopher Corbett,
U.S. EPA
Tom Fizzano, WLPSG

ORIGINAL

HEARING: Tuesday, February 12, 2002
7:01 p.m.

LOCATION: Jackson Township
Municipal Building
60 N. Ramona Road
Myerstown, PA

Reporter: Vivian Gratz

Any reproduction of this transcript
is prohibited without authorization
by the certifying agency

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DISCUSSION AMONG PARTIES 3 - 84
CERTIFICATE 85

P R O C E E D I N G S

MS. BROWN:

Good evening and
welcome. My name is Lisa
Brown, and I work for the U.S.
Environmental Protection
Agency. Tonight we are here to
talk about the Whitmoyer Labs
superfund site and our proposal
and what to do with the soils
that are underneath Fairlane
Avenue. Those soils to an
approximate amount of one
percent of the total soil or
3,000 cubic yards. Right now
we're in the middle of a public
comment period. It starts
today, February 12th, 2002, and
runs through March 13th, 2002.

That's on the back of this
pink flyer we have up here. We
have extra copies. You can
help yourself to those copies,
for your neighbors if you'd

1 like, also. And in there
2 you'll see that Bhupi Khona is
3 the project manager for the
4 site. And tonight we have a
5 stenographer, so you can make a
6 comment about our proposal here
7 tonight, and our stenographer
8 will record them, or you can
9 mail them into Bhupi at his
10 address, as long as your
11 comments get postmarked by
12 March 13th.

13 Tonight also with us is
14 former project manager,
15 Christopher Corbett. And he
16 will be narrating the video
17 that we have. We'll be showing
18 you an approximately 20-minute
19 video later on which shows some
20 of the details from the past
21 work at the site.

22 Here at the township, as
23 well as over at the library
24 over on College Street, we have
25 copies of the proposed

1 Amendment Number Three to the
2 Record Decision for operable
3 unit three. That's a legal
4 document that provides more
5 information on the proposal
6 that you'll be hearing about
7 tonight.

8 So I'm going to turn the
9 meeting over now to Bhupi
10 Khona, who will tell you a
11 little bit more in the way of
12 details regarding this
13 proposal. Bhupi?

14 MR. KHONA:

15 Thank you, Lisa. Good
16 evening. Before I begin, let
17 me introduce myself. My name
18 is Bhupi Khona. I'm the
19 remedial project manager,
20 remedial project manager for
21 this site, Whitmoyer site. I
22 was fortunate enough to get
23 this site in last fall of 2001,
24 and it's almost time to
25 celebrate because it's almost

1 done.

2 Before me, Chris
3 Corbett, many of you may know
4 him, has been involved with the
5 site for 11 years or so, late
6 '80s to 2001, and still
7 available for consultation if I
8 need to. And Noreen Wagner
9 from State, she is here. She
10 is sitting in the back. And
11 Lisa Brown you know. Tom
12 Fizzano from Enron Corporation
13 --- pardon me, ENVIRON
14 Corporation. And Vivian, the
15 stenographer.

16 MS. BROWN:

17 Vivian is here to take
18 your comments down for the
19 record, so I'm going to give
20 her the rule of the roost. So
21 if she can't understand any of
22 us, she's got full headway to
23 flag us, stop us and make sure
24 she gets what you have to say
25 on the record because your

1 comments are important to us.

2 MR. KHONA:

3 And the purpose of this
4 meeting is to discuss the
5 proposed plan for Modification
6 Number Three for operable unit
7 three for Whitmoyer's corporate
8 site. And I'll project the
9 flow diagram or a chart that
10 some of you are probably not
11 familiar with the history of
12 the site, and go over very
13 briefly. And then we'll show
14 you a video, about 20 minutes
15 or so, which very nicely gives
16 one idea how the cleanup
17 progressed through the years
18 and where we are now. A lot of
19 activities went on during the
20 cleanup, and it was very
21 interesting. It's not a
22 professional quality. I tried
23 to --- I actually edited it
24 myself at home, so bear with
25 me. And there's an excellent

1 commentary by Chris Corbett
2 which I'm sure you will enjoy
3 it. And he will --- some of
4 the clippings there's no
5 commentary in the background.
6 However, I put in the end a
7 music clip, I hope you like it,
8 as a bonus.

9 Actually, the prior Mr.
10 Whitmoyer started the business
11 in 1934, and in the '50s
12 started using arsenic for
13 animal farmers to control
14 pests. In 1964 Rohm and Haas
15 acquired the property and also
16 at the same time identified
17 problems. Quickly they
18 realized there were problems
19 with groundwater and soil and
20 they did start some cleanup
21 work, which, I may be wrong,
22 but probably the first
23 groundwater cleanup in the
24 whole country maybe, because
25 1964, EPA wasn't there. EPA was

1 established in 1970. And the
2 last owner --- it went through
3 a few changes in ownership.
4 But in brief, the last owner
5 left the site, actually
6 declared bankruptcy and
7 abandoned the site in '87.

8 The EPA started
9 investigation in 1984 and then
10 it was listed on The National
11 Priority List. It's a list
12 which prioritizes all the
13 Superfund sites and its
14 cleanup. And from 1986 to '87,
15 which I forgot to put down, EPA
16 took some removal action, very
17 --- removal action. There's a
18 difference between remedial and
19 removal action. Removal action
20 is more geared toward very
21 imminent threat that's very
22 dangerous as to the community.
23 And they took something like
24 400 drums out of the site and
25 some liquid and stabilized the

1 site so it's at least safe, not
2 an immediate threat or direct
3 threat to the public.

4 And then '89 we had the
5 first operable unit, early
6 action of ours to remove the
7 liquid tanks piping liquid from
8 tanks in lagoons and other
9 areas. Then the site was --- I
10 just don't want to go into all
11 the details. But in short, it
12 ended up --- the site ended up
13 with five more OUs, OU2, OU3,
14 OU4, OU5, OU6, to address a
15 different kind of media, a
16 different kind of waste, and
17 needed a different kind of
18 treatment and handling. To
19 simplify that, EPA --- and
20 generally, any environmental
21 cleanup is divided into
22 operable units. It's a more
23 organized way of cleaning the
24 site.

25 And OU2, in more

1 buildings, tanks, piping, all
2 that stuff. OU3 addressed
3 soils and sediments and some
4 leftover building material and
5 maybe some other material in
6 water. Water waste was
7 actually taken care under OU4,
8 apparently at this site. I
9 believe Rohm and Haas took all
10 the arsenic and everything and
11 put it in a safe place so it
12 doesn't spread too much. Now,
13 OU5, liquid and soil and other
14 wastes. And OU6 is
15 groundwater, which is going on
16 now.

17 What we are going to
18 talk about today, in the last
19 phase of OU3, soil sediment, we
20 finish more modifications on
21 OU3 almost, except the last
22 phase, which is some
23 contaminated soil underneath
24 Fairlane Avenue, right adjacent
25 to the site. If you can see

1 this, there's a bridge here on
2 the canal and there's an
3 underpass. Just before the
4 underpass there's a portion
5 that contaminates an old farm
6 and we felt that it is most
7 safer and more --- less a
8 public health threat by not
9 disturbing the soil underneath
10 Fairlane Avenue. There are
11 certain utilities we had to cut
12 down and there was a threat for
13 --- threat to the bridge, also.

14 MS. BROWN:

15 I'm going to walk this
16 back so people can see.

17 MR. KHONA:

18 After the video, as Lisa
19 explained, it's about 3,000
20 cubic yards, which is ---.

21 MS. BROWN:

22 This is the treatment
23 plant for the groundwater, and
24 this is Fairlane Avenue and
25 this is the section of road

1 that we're talking about
2 tonight.

3 MR. KHONA:

4 Under this proposal, the
5 road cover, which is perfectly
6 covered, will be mentioned in
7 such a way that, you know, if
8 there are some cracks or
9 something, it will come under
10 --- ongoing maintenance plan
11 that we will do this year.
12 And also there's a poison ---
13 in case local township or some
14 local utilities want to dig up
15 the road for repair work or
16 servicing the utilities, there
17 will be on-call systems
18 established that they can call
19 Rohm and Haas or their assigned
20 consultant to help township or
21 local authorities to help it
22 getting to the utility for
23 repair in a safe manner with
24 all the --- following the EPA
25 rules and regulations. And if

1 they have to dig up --- if the
2 soil is contaminated, it will
3 be disposed of in a proper
4 manner. Also, whatever rules
5 and regulations apply, they
6 will be there, too, and it will
7 be assured by Rohm and Haas and
8 SmithKline. That's all. I
9 think I'm going to start video.
10 Just before, same thing, I
11 believe is in --- you saw the
12 map. Just to give you idea,
13 this is our --- this is me
14 actually, I was involved with
15 the site in 1986 or '87,
16 probably the first person to
17 enter after the site was under
18 removal and cleanup plan. You
19 can see me clearly. I remember
20 that site. This is not me.
21 You can see all the drums in
22 the back and all that, so how
23 much waste we had. And now it
24 looks like this. It looks like
25 this. So you get the picture.

1 So I think we will start the
2 video. And after the video
3 we'll have a question and
4 answer, of course.

5 MS. BROWN:

6 Unless, of course,
7 there are any pressing
8 questions of the audience now
9 that you'd like us to address
10 before we do the video. Does
11 anybody in the audience have
12 any questions for us at this
13 point? Chris, I'm going to
14 turn it over to you.

15 MR. CORBETT:

16 Okay. Thank you. I
17 hope the video doesn't bore you
18 all. It's basically a summary
19 of the last six, seven, eight
20 years of cleaning up the site.
21 And I think the photographs
22 that Bhupi just showed, I mean,
23 really the first few incidents
24 of the film also depict how the
25 site was when the owners just

1 went bankrupt and walked out.
2 And it was a long road to get
3 to here and EPA and New Jersey
4 Department of --- excuse me,
5 Pennsylvania Department of
6 Environmental Protection and
7 Rohm and Haas with Kline
8 Beecham and Dean Hewitt (sic)
9 with the folks from the
10 township, I mean, everyone
11 really came together nicely.
12 And we have what's going to be
13 a very nice park to turn over
14 to the township in the next few
15 months. So with that, I'll put
16 the video on and give you all a
17 little walk down memory lane.

18 VIDEOTAPE IS PLAYED

19 MR. CORBETT:

20 The first four or five
21 minutes of the film goes back
22 in 1990 before any of the
23 cleanup was started, except for
24 a few of the removal actions
25 that Bhupi had discussed

1 earlier. You can see a number
2 of tanks that was still
3 remaining in one of the
4 buildings. There were 17
5 building constructions up at
6 the time. Contamination was
7 found within the bermed area
8 where the tanks had been. The
9 liquid was the main concern
10 early on. With the building
11 just being abandoned there were
12 liquids left in tanks and
13 drums, and then eventually we
14 got to it in the piping within
15 the building themselves.

16 One of the main concerns
17 with the system was
18 contaminated drinking water.
19 And there was also an early
20 action where EPA had started
21 and then Whitmoyer Laboratories
22 had a study group who came in
23 and took over the installation
24 of the water line. You can see
25 how some of the buildings were.

1 I mean, this was after a couple
2 years where it was just
3 starting to dilapidate. When
4 it was first abandoned
5 obviously there weren't as many
6 holes and stuff, but the roof
7 started to give. It was
8 actually becoming a health and
9 safety problem not only from
10 the chemicals but also from a
11 physical standpoint. After
12 around 1992, we begin the
13 design phase, right after
14 starting with the consent ---
15 do you remember the vault in
16 the background. I don't know
17 if you remember how the vault
18 had looked. That's a clip from
19 inside the vault. It was very
20 difficult early on trying to
21 figure out even how to take the
22 vault apart and how to take the
23 material out of it. In the
24 beginning all we had was the
25 information gained from doing

1 small test pits in through the
2 roof, and we tried to peer in
3 and just figure out what was in
4 there.

5 You may recall one of
6 the earlier cleanup decisions
7 was to built an incinerator on
8 the site and also to treat
9 other wastes on the site. At
10 the time there weren't any
11 facilities throughout the
12 country that could accept the
13 waste. It was very high in
14 arsenic, up to 15 percent. It
15 also had organic chemicals
16 mixed in there, aniline, as
17 well as TCE and PCE. And that
18 was as high as 10, 15 percent.
19 And there were no facilities
20 that were built that could
21 handle the waste. After we got
22 a few years into it, into the
23 design, facilities started to
24 become available throughout the
25 country, various incinerators

1 and also treatment facilities
2 where they could stabilize the
3 waste.

4 None of us looked too
5 bad back in those days. One
6 more dangerous part from all of
7 the wastes that were left
8 inside the building in the
9 piping, you couldn't just go in
10 and knock down the building.
11 Somebody had to first
12 investigate, find out what
13 wastes were in the piping, what
14 were in the tanks.

15 VIDEO NARRATION

16 MR. CORBETT:

17 It was a lot of
18 tank-by-tank -- I mean, the
19 contractors that came in there
20 did a nice job, and ENVIRON,
21 with their design, spent a lot
22 of time planning before they
23 would even attempt ---.

24 VIDEO NARRATION

25 MR. CORBETT:

1 About 1994 we started I
2 guess we started taking part.

3 VIDEO NARRATION

4 MR. CORBETT:

5 We'll get back to that.

6 VIDEO NARRATION

7 MR. CORBETT:

8 I don't know if you can
9 tell, but the video is trying
10 to show drums that were inside
11 the vault area.

12 MR. MOYER:

13 It's pretty decent ---.

14 VIDEO NARRATION

15 MR. CORBETT:

16 A lot of buildings caved
17 in that winter. There were a
18 lot of buildings in town that
19 went down. We were very
20 fortunate, just kind of caved
21 in nice and slow.

22 VIDEO NARRATION

23 MR. CORBETT:

24 It was kind of hard to
25 see. Would you like me to

1 continue with it or ---?
2 Basically I can walk you
3 through it. It was only a few
4 more minutes that was left. It
5 showed the digging up of the
6 lagoons. It showed the digging
7 up of the soil. And then it
8 showed the progression to get
9 it to where it is today.
10 Sometime this spring, I guess,
11 the transfer of the property
12 will be going from ---

13 MS. GAMBOL:

14 Summer.

15 MR. CORBETT:

16 Oh, this summer?

17 MR. BAMETZREIDER:

18 The main holdup is going
19 to get EPA's approval. That's
20 going to take ---.

21 MR. CORBETT:

22 Well, eventually, after
23 the legal documents are signed,
24 the township will be taking
25 over for the site as far as,

1 you know, general cutting of
2 the grass, things of that
3 nature. As far as there's any
4 moving of hazardous soils, as
5 Bhupi had described before, if
6 the road had to be dug up or
7 for some reason there was a
8 problem on the site and
9 hazardous soils were
10 encountered that varied two
11 feet or more below the surface,
12 then obviously we would have
13 both EPA, the state, as well as
14 the WLPSG contractor involved.

15 MR. CORBETT:

16 At some point in the
17 future we'll have a movie with
18 the kids out there playing
19 soccer as well. We'll work on
20 the tracking.

21 MR. MOYER:

22 Most of the phases have
23 been discussed at public
24 meetings and so on, so it's
25 really just a review of what

1 has transpired in the past. So
2 realizing that there may be
3 some that would like to see it,
4 but it's been pretty much
5 covered several times, so ---.

6 MR. CORBETT:

7 So in fact, some of the
8 clips, with my voice-over from
9 meetings we had here.

10 With that, I guess I'll
11 just turn the meeting over to
12 Lisa or Bhupi to see if there
13 are any questions about the
14 modifications.

15 MS. BROWN:

16 I was going to see if I
17 could get this to the most
18 recent part and see if that
19 tape, since it's different, may
20 be a little bit better quality.

21 MR. KHONA:

22 That's 2000 ---.

23 MR. CORBETT:

24 This is actually pretty
25 good. Some of the video on the

1 ventilation of the buildings
2 was some of the more
3 interesting. I think most
4 people in town remember the
5 skyline there with the larger
6 tower.

7 VIDEO NARRATION

8 MS. GAMBOL:

9 Timber.

10 MS. BROWN:

11 I want to do that at
12 every site. That was cool.

13 VIDEO NARRATION

14 MR. CORBETT:

15 This was the early
16 treatment plant prior to the
17 one that was installed about
18 two years later.

19 VIDEO NARRATION

20 MR. CORBETT:

21 We began the ground
22 water cleanup. We did the
23 demolition of the building to
24 clean that out. Again, the
25 vault cleanup, which was taken

1 out in phases. And then
2 following that, went on to the
3 lagoon cleanup.

4 VIDEO NARRATION

5 MR. CORBETT:

6 During this phase it was
7 like a moonscape, when we
8 excavated the lagoon area.
9 Over a million pounds of
10 arsenic --- when you calculated
11 the percentage of arsenic that
12 was in the lagoon and when you
13 looked at the volume that came
14 out, just of arsenic alone was
15 over a million pounds mixed in
16 with that waste. It was all
17 put on railcars and shipped off
18 site. That was just one
19 segment of the cleanup. That
20 was just what we did in 1998.
21 It was really amazing the
22 progress that was made out
23 there in such a short period of
24 time.

25 It was certainly a

1 significant commitment by both
2 the companies, Rohm and Haas
3 and SmithKline Beecham, even
4 though they were only owners
5 part of the time, and in fact,
6 had even done different types
7 of cleanups while they owned
8 it. There's a great amount of
9 resources year after year. And
10 as they'd be finishing one
11 action in the field, they'd be
12 planning behind the scenes
13 what's going to be coming next.
14 So that for the most part, for
15 five or six years we had
16 continuous remedial action.

17 VIDEOTAPE VIEWED

18 MR. CORBETT:

19 Those are the railcars
20 covered up. When we were in
21 high gear there were seven rail
22 cars coming in twice a week
23 being filled up and taken off
24 site, about 14 railcars a week.

25 VIDEOTAPE VIEWED

1 MR. CORBETT:

2 Prior to being taken off
3 site, the railcars were topped
4 once, then they were covered a
5 second time, almost like an
6 envelope. They then would be
7 staged on site until we had
8 seven together, inspect them
9 before they go off site and
10 then all materials were
11 transported without any
12 incident for a number of years.
13 That was something I hadn't
14 realized, we ship a lot of
15 waste off site by railcars,
16 never had an accident or a
17 spillage, and by truck also,
18 different ways taken to
19 incinerators.

20 And from the safety
21 standpoint working on site,
22 someone twisted their ankle or
23 broke their ankle, I guess.

24 MR. JOHNSON:

25 Somebody broke their

1 wrist, somebody twisted their
2 ankle, and somebody --- broken
3 wrist and broken ankle.

4 MR. CORBETT:

5 You know, which were
6 just minor, you know, trip-and-
7 fall-type injuries, considering
8 that we had a crew out there
9 working through winters,
10 summers. And it was a safe
11 cleanup. We never had any
12 spills off site into the
13 community. Very few complaints
14 from the neighbors throughout
15 the time, also.

16 MR. MOYER:

17 Very, very little.

18 MR. CORBETT:

19 Thistles. We had a
20 problem with thistles for a
21 while.

22 MR. MOYER:

23 You still have problems
24 with thistles.

25 MR. CORBETT:

1 Now, we go into the soil
2 cleanup. So basically the
3 vault was gone. The ground
4 water cleanup had started
5 already. The lagoons were dug
6 up. The buildings were knocked
7 down. Now, we're down to
8 basically the final phase of
9 the cleanup was digging up the
10 contaminated soil.

11 All of the hazardous
12 soil, as defined by the RCRA
13 Program, the Resource
14 Conservation Recovery Act
15 Program, hazardous soils at a
16 chemical manufacturing facility
17 or an active facility. We had
18 soils that were hazardous by
19 definition, they went off site,
20 they were treated. What was
21 left behind was lightly
22 contaminated and moderately
23 contaminated soil, and over all
24 those areas was a two-foot soil
25 covering. This was as recent s

1 May of the year 2000.

2 VIDEOTAPE VIEWED

3 MR. CORBETT:

4 Tom, do you remember off
5 hand I was adding up these and
6 I thought it was like 44,000
7 tons put off site.

8 MR. FIZZANO:

9 50,000.

10 MR. CORBETT:

11 50,000 tons of soil went
12 off site.

13 MR. KHONA:

14 Totally.

15 MR. CORBETT:

16 Totally.

17 MR. FIZZANO:

18 That was total waste.

19 MR. CORBETT:

20 Oh, total waste?

21 MR. FIZZANO:

22 Total waste disposal off
23 site was 50,000 pounds.

24 MR. CORBETT:

25 You can see a water line

1 going across. That's from the
2 ground water treatment plant.
3 The last part of the video
4 shows the inside of the active
5 ground water treatment plant,
6 where the ground water cleanup
7 will continue. In fact, if
8 you're walking around on the
9 site, on the walking trail or
10 close to where the soccer
11 fields would be, you can see
12 some plates on the ground where
13 it says monitoring well,
14 observation point. This is the
15 inside of the ground water
16 treatment plant. One of the
17 nice things about the final
18 plant was that they use a waste
19 product from the steel industry
20 called pickle liquor. It's an
21 acid with a high iron content.
22 And that's one of the first
23 things that's mixed in with the
24 contaminated ground water. By
25 having the arsenic in there,

1 along with the high iron and
2 the low pH, it then
3 precipitates
4 --- I like the music. Hydrogen
5 peroxide is added in and then a
6 polymer, similar to a
7 wastewater treatment plant,
8 basically, after that part of
9 the process. And then at the
10 end are carbon tanks where the
11 water is polished through
12 carbon to remove any organics
13 that might still be in there.

14 And here's some recent
15 shots. I think it will really
16 be nice by the spring when the
17 grass really starts growing and
18 the trees start blossoming. A
19 number of trees were placed on
20 site, small saplings along the
21 creek and along Union Canal.
22 We'll have a softball field,
23 two full-size soccer fields in
24 combination with the --- I
25 guess it will be baseball and

1 Little League fields. I don't
2 know if it will be softball or
3 not. There's a combination of
4 children's soccer fields in
5 that also, depending on the
6 season. There's a walking
7 trail that goes around the
8 area.

9 MS. GAMBOL:

10 Can people use any of
11 this now?

12 MR. CORBETT:

13 There's a sign posted
14 now that says private property.
15 I went for a walk around it. I
16 don't know if people in the
17 community --- I mean, there's
18 no fence to stop ---.

19 MR. MOYER:

20 We do encourage people
21 to go in and walk and ride
22 their bikes on the road and
23 kind of monitor the thing for
24 us, if somebody is in there
25 that doesn't belong or say

1 there was some damage we need
2 to know about or you people
3 need to know about. We've
4 encouraged that in order to try
5 to keep vandalism to a minimum,
6 really.

7 MR. CORBETT:

8 It's nice and open. I
9 mean, you walk in there --- I
10 was just there before the
11 meeting tonight and it's a nice
12 open area.

13 MR. KHONA:

14 Part of monitoring for
15 the water plan. It's all
16 computerized and if there's
17 something wrong, alarm goes on
18 to process control.

19 MS. BROWN:

20 The system is actually
21 smart enough that --- the
22 system operating on its own can
23 actually ring a phone and dial
24 a live person to come out and
25 respond to whatever is going

1 on.

2 MR. CORBETT:

3 In addition, there's a
4 worker there operating the
5 plant, checking on things 40
6 hours per week. Ray, you
7 working weekends, too, or is it
8 just to five days?

9 MR. JOHNSON:

10 Half days on Saturdays
11 and Sundays.

12 MR. CORBETT:

13 Half days on Saturdays
14 and Sundays. Well, I hope you
15 enjoyed that. It was really a
16 tribute to all the people that
17 worked on it, on the site over
18 the years. And like I said,
19 hopefully --- that was just
20 something Bhupi was kind enough
21 to put together real quick. I
22 think he actually has some
23 video of kids out there playing
24 soccer and softball and maybe
25 having a kickoff party at the

1 time. I don't know. Matt? I
2 know over at the landfill that
3 you worked at you did a
4 wonderful job transferring that
5 site also into something that
6 was an asset for the community.
7 And really, that's the nice
8 ending to all this, is that
9 this will be a real asset to
10 the community. And it's still
11 a little hard to envision now
12 because the grass isn't grown
13 in and the kids aren't up there
14 playing soccer and stuff, but I
15 think we're only a half season
16 away.

17 MR. MOYER:

18 The site we saw at
19 Pittman was really a beautiful
20 place without a doubt. It just
21 shows you what you can do with
22 a site like that when it's
23 taken over and handled
24 properly. Very good. And like
25 I said before, there's three

1 entities that need to get some
2 credit here. There's Rohm and
3 Haas, SmithKline and Beecham,
4 who kind of are footing the
5 bill for us, if I can use that
6 expression. And of course,
7 then the cooperation with EPA,
8 because I'm sure there were
9 times with your ROD where you
10 had to make some compromises
11 and things had to stay the
12 course in other cases. But the
13 job got done, and there's a
14 beautiful facility there at
15 this point. So a lot of people
16 can take credit for it.

17 MR. JOHNSON:

18 Don't forget Noreen over
19 here.

20 MR. CORBETT:

21 The state was very
22 supportive. Really, all of the
23 entities, the local government,
24 the state government --- no,
25 seriously, the local

1 government, with you and your
2 colleagues, the state
3 government, the federal
4 government and private
5 industry. It's nice to see a
6 success.

7 MR. MOYER:

8 We had a small part in
9 it, and we thank you for your
10 consideration. But you know,
11 without Rohm and Haas and
12 SmithKline Beecham and you
13 folks and, again, DEP, the
14 thing would have been over
15 there still giving everybody a
16 fit. So it's now a nice,
17 beautiful site that everybody
18 can use in the future, a lot of
19 things.

20 MR. CORBETT:

21 The last thing I'd like
22 to say before turning it back
23 over to Lisa or Bhupi is that
24 EPA is going to be there just
25 because the property now is

1 changing into another phase.
2 It's becoming a recreational
3 facility. EPA and --- I speak
4 for Noreen and the state, where
5 we're still here if there are
6 questions. We know that the
7 Whitmoyer Laboratory Private
8 Study Group is still behind the
9 project. We have the ground
10 water treatment that will be
11 going on for a number of years,
12 as well as their support, in
13 case we have to go down below
14 the soils. So we're all here
15 with you all in the future, and
16 I think it's a real success. I
17 look forward to coming back up
18 again, you know, for the ribbon
19 cutting. With that, I'll turn
20 it over.

21 MR. KHONA:

22 Thanks, Chris, for a
23 nice presentation of the video.
24 And you know, he's getting
25 involved and he's the person

1 who made this true. As Chris
2 mentioned, you know, EPA will
3 be there, I'll be there, and
4 there is an operation
5 maintenance plan, as well as a
6 final review that will be
7 required to do every five years
8 after completion of any ---
9 after studying any remedial
10 action. So already one is
11 done, and so we'll be keeping
12 an eye on it. And once a year
13 or more somebody from EPA will
14 come and look around the site
15 and you're welcome to call us.

16 MR. MOYER:

17 That was one of the
18 questions we had I think when
19 we met with Rohm and Haas,
20 SmithKline Beecham. Bill Kline
21 and myself are not going to be
22 here forever, and we wanted to
23 make sure that some of the
24 requirements down there were
25 met by the local people, the

1 local government, because we're
2 not going to be here, and we
3 know what is required now.
4 Down the road somebody else has
5 to always be reminded of that,
6 that it is a hazardous waste
7 site and it is still under the
8 auspices of the EPA. So that's
9 just something that we
10 appreciate, that you're going
11 to stay here.

12 MR. CORBETT:

13 Actually, I think it's
14 once a year or twice a year,
15 one of the requirements ---
16 it's twice a year. We built a
17 requirement into the program
18 that we will be together at
19 least twice a year just to talk
20 about, you know, any planned
21 activities you all may have or
22 the colleagues that follow
23 after you.

24 MR. MOYER:

25 Right. Okay. The video

1 was good, Bhupi. The only
2 thing is you couldn't have done
3 pairs skating with the music,
4 but it was pretty good. I
5 enjoyed it.

6 MR. KHONA:

7 Promise next one --- we
8 have now new equipment. I'm
9 going to --- you know, we'll
10 try something different. That
11 probably gives you --- at least
12 for me, although I came here a
13 long time back, but gave me a
14 good picture of what went on at
15 the site. Really, I enjoyed
16 it. For me, it was pretty
17 educational that, you know, I
18 know what actually went to the
19 site. It was good.

20 MS. BROWN:

21 Are there any questions
22 from our audience here tonight?

23 MR. HEBERLING:

24 I have a couple
25 questions, but they have to do

1 not with you people but with
2 the township supervisors as to
3 a timeline as to when this is
4 --- you know, it actually is
5 going to be a park and
6 activities are going to start
7 to happen and, you know, things
8 like that. I mean, the last I
9 heard, we were looking at a
10 transfer of July sometime. I
11 mean, that's just what I heard
12 in passing from the person who
13 chased me off the property
14 while I was walking on it who
15 told me that it was private
16 property. So this
17 encouragement of, you know,
18 township people to use the
19 facility is new to me because
20 last I knew I was told there
21 were private property signs up
22 and no trespassing. And we
23 were not encouraged to. In
24 fact, I'm an adjacent property
25 owner, and I have chased

1 several children who were
2 riding bikes from that property
3 because I was told it was
4 private property and there was
5 no trespassing because of that
6 reason.

7 MR. MOYER:

8 Again, I'm going to go
9 back to the owners because they
10 have the onus at this point.
11 So rather than me say, go ahead
12 in there with bicycles, walking
13 and so on, I felt like we got
14 that encouragement from them at
15 our last meeting in order to
16 kind of keep an eye on the
17 place. Now, maybe they have a
18 different agenda at this point.

19 MR. HEBERLING:

20 This was right after the
21 contractors had left the
22 property and pretty much
23 installed the signs, and about
24 a month after that I was there
25 and someone else, another

1 contractor was there down by
2 the Tulpehocken Creek, doing
3 some work. I think he was
4 planting trees or something
5 like that. And he yelled,
6 you're trespassing, you're
7 trespassing, you know, this is
8 private property. And I asked,
9 I said, well, has the township
10 taken over the property. He
11 said, no, that's not going to
12 happen until July. Until then,
13 we don't want anybody on this
14 site. It's private property.
15 So I've been obliging. And if
16 I see people --- I'm an
17 adjacent property owner. And
18 if I see people over there,
19 especially, you know, kids,
20 I've been telling them, you
21 know, stay off the site, it's
22 private property, because I
23 have just been doing that, you
24 know, looking out for the
25 property, so to speak.

1 MR. JOHNSON:

2 I'll address that a
3 little bit. I'm going to say I
4 appreciate that, and I
5 encourage you to continue to do
6 that until we turn it over to
7 the township. We did put up no
8 trespassing signs and other
9 types of signs. And it's to
10 discourage anybody from going
11 on there on a regular basis
12 just so that the ground can
13 take maturing to be
14 established. So we like to try
15 to discourage anybody from
16 walking on there, driving on
17 there. You're not going to
18 keep everybody from doing that,
19 but as much as you can we would
20 appreciate it until it is
21 turned over and until it does
22 get established.

23 MR. YUNASKA:

24 Well, there were also
25 indications of people using

1 four-wheel-drive vehicles
2 running through the newly-
3 seeded grass areas, which, you
4 know, it's never going to get
5 right if that continues on.

6 MR. HEBERLING:

7 I had seen some --- I
8 saw a go-cart and whatever over
9 there. Oh, yeah, they were
10 ---.

11 MR. JOHNSON:

12 There's evidence of
13 small vehicles.

14 MR. HEBERLING:

15 I didn't really catch up
16 to them, but I've been keeping
17 an eye out for it. But there's
18 been kids with bicycles, but
19 mostly they've been playing on
20 the concrete paths.

21 MR. FIZZANO:

22 With the ground being
23 soft, I could see that would be
24 difficult to ride. I mean, the
25 no trespassing signs will be

1 removed when the property is
2 transferred. But for right now
3 it was to discourage is so that
4 we can get the grass to grow.
5 we finished --- later in the
6 growing season we're able to
7 establish some grass growth,
8 but right now we're in kind of
9 a holding pattern until the
10 spring comes. So hopefully in
11 the spring we'll get some good
12 grass growing and we'll be in
13 good shape.

14 MR. HEBERLING:

15 I mean, I can't wait.
16 I'm anticipating --- I live
17 right next door, and I can't
18 wait to use the walking path.
19 Right now I'm just walking up
20 the block and back again with
21 --- I can say that once this is
22 open and the walking path is
23 completed, you know, that will
24 be the place I'll be doing my
25 walking, you know.

1 MR. FIZZANO:

2 That's good. That what
3 we hoped.

4 MS. BROWN:

5 Any other questions?

6 MR. HEBERLING:

7 Who's going to do the
8 maintenance up to that point, I
9 mean, to the point of transfer?
10 Is the township going to do ---
11 cutting grass?

12 MR. MOYER:

13 That's not been worked
14 out yet. The people that are
15 still responsible for it will
16 be responsible. Now, if they
17 turn the grass cutting or
18 something over to a
19 subcontractor, then naturally
20 he's going to do that. But
21 they are still responsible for
22 the site until such a time as
23 we accept it.

24 MR. HEBERLING:

25 I just want to make sure

1 it's not going to grow three
2 feet tall and have to make a
3 complaint to somebody and be on
4 the lookout for rodents and
5 things like that.

6 MR. MOYER:

7 It hasn't. They've done
8 ---.

9 MR. HEBERLING:

10 Only if somebody gets,
11 you know, between --- we never
12 know. We're in February right
13 now. You know, if this only
14 gets finalized in July, we're
15 through a pretty heavy grass-
16 growing season there.

17 MR. MOYER:

18 We thought of that.

19 MR. HEBERLING:

20 Just covering some bases
21 here.

22 MR. KHONA:

23 And that's a good point.
24 If somebody doesn't cut the
25 grass it can grow. But that

1 won't be the case. Until the
2 site goes over to the township,
3 Whitmoyer Study Group will take
4 that up.

5 MR. HEBERLING:

6 I mean, do we have a
7 time --- is there a tentative
8 date or some sort of --- what
9 kind of timeline are we looking
10 at about transfer to township?

11 MR. KHONA:

12 Well, tentatively I
13 believe it's sometime in the
14 summer, like July, August. It
15 takes time. They have to iron
16 out some legal --- what we call
17 legal documents prospective
18 purchase agreement with EPA and
19 then other agreements between
20 Whitmoyer Study Group and the
21 township. So far all the
22 parties are for it. I don't
23 see any problem. It's a good
24 thing. EPA encourages this
25 kind of recycling of sites. In

1 fact, that's one of the
2 priorities right now. And so I
3 don't see any problem. When
4 you will be able to use it,
5 that's a different reason until
6 the grass grows properly and
7 all that stuff.

8 MR. HEBERLING:

9 And the no trespassing
10 signs go down.

11 MR. KHONA:

12 Yes.

13 MR. CORBETT:

14 I would imagine there
15 will be some kind of ribbon
16 cutting ceremony or something,
17 I would hope.

18 MS. BROWN:

19 We would make sure to
20 get that information out in one
21 of our newsletters and announce
22 it to the community and make a
23 point of calling local media
24 outlets and letting them know
25 that the work has been finished

1 and, you know, the project and
2 the site was entering yet
3 another phase, a new phase.

4 MR. HEBERLING:

5 Does the township have a
6 time line on completion of some
7 of the things that are included
8 in the park, as far as
9 bleachers, dugouts?

10 MR. MOYER:

11 Not at this point we
12 don't. First of all, we
13 discussed this evening with the
14 private study group and we're
15 almost certain that this year,
16 2002, will not be used for any
17 activity because we want the
18 ground, grass, everything else
19 to mature, so that when we do
20 use it, it's going to be able
21 to hold up. So probably not
22 being in the year 2002.

23 MR. HEBERLING:

24 Okay.

25 MR. YUNASKA:

1 I think that's just as
2 far as playing fields are
3 concerned. But I think in
4 terms of like the walking
5 trails and all that ---.

6 MR. MOYER:

7 It, again, depends on
8 what we consider priority,
9 which one we want to go --- we
10 have a recreation committee
11 that's probably going to
12 dictate to us or at least
13 they're going to give us their
14 input as to where we're going
15 to proceed, what are we going
16 to start with first, and so on
17 and so forth. Then we'll sit
18 down with the two parties,
19 their supervisors and the
20 recreation commission and
21 decide what area we're going to
22 start on. That's pretty much
23 the way it is. You can make
24 some plans now, but maybe
25 things change in the meantime,

1 so we're going to hold on until
2 we get it and then we can go
3 from there.

4 MR. HEBERLING:

5 Is this all going to be
6 covered at a public meeting or
7 township supervisors' meetings
8 and stuff like that as far as
9 what the agenda is for
10 completion? I mean, I'm
11 looking at it from an aspect I
12 was told that the walking trail
13 is going to be blacktop and ---
14 or, you know, whatever to make
15 it easier to walk, because
16 right now it's just pressed
17 stone.

18 MR. MOYER:

19 It very well could be
20 blacktop, but that may not be
21 one of the top priorities,
22 Rick. It could be down the
23 road three years.

24 MR. HEBERLING:

25 My name is Ray, not

1 Rick. Thank you.

2 MR. MOYER:

3 Ray, I'm sorry. We're
4 trying to get what we think is
5 priority over there, soccer
6 fields and --- that's our
7 biggy, baseball and stuff, over
8 there, and then the other
9 things will come in time. The
10 other part of that equation is
11 money, so we've got to
12 have ---.

13 MR. HEBERLING:

14 I understand that if the
15 township doesn't have the
16 money, you know, if they want
17 the money, they're going to
18 have to raise my taxes, which
19 isn't going to be a happy thing
20 either. But some of my concern
21 comes from the fact that more
22 and more traffic is going to
23 come back that way, especially
24 on Creamery Street. And right
25 now there is stoned areas for

1 parking, okay. And just since
2 this has been publicized a
3 little bit more, I've seen more
4 and more traffic back my way.
5 And my problem is --- I have a
6 problem with gawkers coming
7 back and then not using the
8 cul-de-sac to turn around.
9 They like to turn around in my
10 parking lot, my driveway. and
11 I have tried putting a private
12 property, no trespassing,
13 please use cul-de-sac sign
14 ahead, and they seem to very
15 much like to read that while
16 they're going around it. And I
17 do not hesitate when I see them
18 to yell at them and they look
19 like, what kind of a fool is
20 that, you know. So I can say
21 that, you know, putting a sign
22 up doesn't necessarily work,
23 plus it also hinders the
24 deliveries that I receive,
25 because I have a business back

1 there. I do get deliveries on
2 a weekly basis. And I can't
3 rope the area off because the
4 majority of these deliveries
5 are made when I am not there.
6 My vendors have access to my
7 buildings, but I can't
8 constantly rope the area off.
9 And this is --- you know, I've
10 had a problem with people
11 coming back there and turning
12 around on my property, only
13 because they don't want to do
14 it in the stone.

15 MR. DECK:

16 Ray, I think the route
17 foreman and the township
18 supervisor will work toward
19 eliminating that problem. I
20 think we can eliminate that
21 problem either by strapping
22 that with lines or something
23 like that, which will define
24 your property line and where
25 the cul-de-sac is. And maybe

1 we can improve that
2 cul-de-sac and the parking area
3 back there. We will address
4 that when the time comes. And
5 so to the walking paths, I know
6 it's rough stone there. And we
7 can correct that by putting
8 stone dust over the top of
9 that, which it gets real solid
10 and makes it a lot easier to
11 walk than on the stone. I
12 think there are other things
13 that we will have to address
14 maybe in a year or so, but we
15 will probably address that,
16 too.

17 MR. HEBERLING:

18 I just wanted to voice
19 my opinions on some of this
20 that are concerns of mine only
21 because at one time, up until
22 this was all completed, you
23 know, I had very, very little
24 traffic back that way, you
25 know. But ever since it was,

1 you know, it was pretty much
2 completely, you know, there's
3 been more and more traffic back
4 there for people who want to
5 look at the park, which I don't
6 have a problem with, as long as
7 they're not using my property
8 to turn around on. You know,
9 that's my concern. And the
10 only reason I wanted to voice
11 my opinion was, you know, when
12 is the parking area going to
13 get done. Right now the only
14 thing that's there is just
15 stone. That's all that
16 signifies there's anything
17 there. The street was widened
18 and blacktopped to the point
19 where the parking begins, and
20 you know, I understand we don't
21 want to --- you know, we don't
22 want to rush into anything as
23 far as --- you know, we want to
24 let the soil settle and
25 everything like that, but I'm

1 just concerned about seeing
2 more and more traffic back that
3 area --- in that area.

4 MR. DECK:

5 Ray, you're going to see
6 more traffic. There are going
7 to be townhouses being built
8 out there along Creamery Road.
9 We're proposing if we can get
10 these regulatory people to work
11 with us, in widening the
12 bridges.

13 MR. HEBERLING:

14 Well, that's another
15 topic for discussion.

16 MR. DECK:

17 And you had mentioned
18 something about it being
19 blacktopped. It was kind of a
20 --- not a permanent --- it was
21 just a widening of the road
22 area. The road was washed out,
23 so we wouldn't have more
24 washouts there. As you know,
25 last summer, the rains made

1 quite a washout. We went
2 around in there with heavier
3 stone, and then we just put a
4 base in there, macadam, just to
5 hold it.

6 MR. HEBERLING:

7 It looks good.

8 MR. DECK:

9 It's a temporary fix.

10 MR. HEBERLING:

11 I mean, as far as I'm
12 concerned, it looks good. I'm
13 just trying to find out what
14 the timeline is and what I can
15 expect. I mean, I'm not asking
16 for anything. It's just that,
17 you know, --- this is
18 beautiful. This is ten times
19 better than what it looked like
20 when I moved into my property
21 four years ago. And I love it.

22 I encourage it. You know,
23 this sure beats just having an
24 open field there. I'd rather
25 see, you know, something like

1 this where the community is
2 going to get use out of it and,
3 you know, actually see some
4 people back there every once in
5 a while. As far as I'm
6 concerned, it's great. You
7 know, like I said, I have some
8 concerns, too. I did hear
9 rumors about the bridges. And
10 you know, like I said, that's
11 another topic just for the
12 township because there are two
13 property owners back there that
14 both own businesses and have
15 business traffic. And when the
16 bridges get done and get
17 closed, that's a concern,
18 because we have --- you know,
19 the Yons (phonetic) have foot
20 traffic --- not foot traffic,
21 but continual traffic because
22 she runs a beauty shop there.
23 They have more traffic than we
24 do. But then, again, too, my
25 traffic is different. I have

1 delivery trucks, which, you
2 know, have to be able to use
3 that road because I'm getting
4 deliveries on --- you know, at
5 least three deliveries a week.
6 So whenever, you know, the
7 bridges are taken care of, it
8 has to be --- some
9 accommodations have to be made.

10 MR. JOHNSON:

11 Ray, just to help you
12 out, you're probably aware of
13 it, but the bulk of you
14 mentioned the heavy traffic
15 that's going to be coming back
16 there. But the bulk of the
17 traffic will be directed
18 towards Fairlane Avenue, where
19 the bulk of the parking will
20 be. There is some parking
21 along Creamery, but it's
22 limited compared to Fairlane.

23 MS. BROWN:

24 And we do have a map up
25 here that you're welcome to

1 come up and take a look at at
2 the end of our meeting that
3 shows the layout. I can bring
4 it back to you now.

5 MR. HEBERLING:

6 I know what the layout
7 is. I've seen it.

8 MS. BROWN:

9 All right.

10 MR. HEBERLING:

11 I've seen it when it was
12 printed in the newspapers. So
13 I now the layout. But still on
14 Creamery Road, there's a
15 softball field and there's
16 going to be a soccer field. So
17 you now, just looking at the
18 average person, I'm not going
19 to park over on Fairlane if
20 I've got a softball game or a
21 baseball game over on Creamery,
22 because they're not going to
23 walk that far. They're going
24 to park over on Creamery
25 Street. You know, that just to

1 me is a given. You know, I
2 don't think they're going to
3 park over on Fairlane if they
4 have a soccer game on that
5 soccer field that's closest to
6 Creamery Street. That's just
7 not going to happen.

8 MR. KHONA:

9 There's no parking there
10 right now --- I mean, plan for
11 this area, Creamery. I don't
12 think there's a public parking
13 ---.

14 MS. BROWN:

15 There is something here
16 that says this is a formal
17 parking area with lines
18 painted. And this is the stone
19 area here.

20 MR. FIZZANO:

21 And the reason why we
22 put that in was because we knew
23 we would have parking. We knew
24 that the lower parking area
25 couldn't accommodate everybody,

1 and we didn't want people
2 parking on what would be grass.
3 And we did have to put it in.
4 we tried to limit it.

5 MR. HEBERLING:

6 So that's just going to
7 be stone?

8 MR. FIZZANO:

9 For right now what we
10 did and what --- we, meaning
11 what WLPSG did, was to
12 basically, you know, give the
13 township that personal
14 direction to develop a park.
15 And at the same time we
16 achieved a remedy that EPA put
17 in place for the site itself.
18 So for right now we limited our
19 work to the stone. And then if
20 they choose to go forward with
21 macadam, you know, for these
22 areas, that's where we stop and
23 they would continue.

24 MR. KHONA:

25 I mean, this is nothing

1 to do with --- in line with the
2 thing, but there's a
3 suggestion, you can have just
4 office and parking here or
5 permitted parking, maybe, you
6 know, because there's more
7 parking space in front. That
8 can be done or --- you know,
9 because there is a township
10 ---.

11 MS. GAMBOL:

12 Right there.

13 MR. KHONA:

14 You know, you can have a
15 permitted parking area here.

16 MR. FIZZANO:

17 That's really more of a
18 township thing.

19 MR. KHONA

20 Right. I mean, there
21 are some solutions that you can
22 work on.

23 MR. MOYER:

24 Yes. And we will work
25 it out also. It's a little

1 premature to be doing that at
2 this point because we really
3 don't know what's going to be
4 our priority. So when we find
5 that out, we're going to work
6 on the soccer fields on the
7 west end there and the baseball
8 field, then we naturally have
9 to do something at the parking
10 there. So that will be taken
11 care of as we prioritize what
12 we're going to do, so ---.

13 MS. BROWN:

14 Are there any questions,
15 any further questions related
16 to the soil proposal that we've
17 been discussing this evening?
18 Okay.

19 MR. DECK:

20 I would have maybe one
21 question on that. And that is
22 if we get a gulley washer, what
23 are our responsibilities at
24 that point? We can get gulley
25 washers in in the summer or we

1 get washouts. How do we
2 address that? Do we call you
3 or how do we handle that?

4 MR. MOYER:

5 I think we discussed
6 that tonight at the table; did
7 we not?

8 MR. YUNASKA:

9 Maybe Clyde didn't hear
10 this.

11 MR. DECK:

12 I probably didn't. But
13 you know, these are like flash
14 floods that come, you know, a
15 gulley washer, a water spout or
16 something like that where it
17 just takes everything out and
18 the next morning you scratch
19 your head, now, how are we
20 going to address this thing.
21 And at that point we call you
22 or we call --- who do we call?

23 MR. KHONA:

24 They have an on-call
25 system.

1 MR. DECK:

2 Just call them?

3 MR. KHONA:

4 Call them. And if it's
5 not resolved or ---.

6 MR. DECK:

7 Do we have to shut
8 everything down or can we
9 continue with ---?

10 MS. BROWN:

11 Are you speaking of the
12 future --- the future
13 development, when this changes
14 over into a recreation area?

15 MR. DECK:

16 That's correct. Not
17 now. We're just talking in the
18 future, that, you know, when we
19 would have something. And it
20 can happen. I've seen it
21 happen.

22 MR. FIZZANO:

23 Are you referring to
24 like bank washout?

25 MR. DECK

1 Big washouts.

2 MR. FIZZANO:

3 Well, I mean, we have a
4 couple failsafes in place. I
5 mean, one is obviously during
6 the day, we have the treatment
7 plant operators. So they're
8 going to be, you know, at the
9 ahead of it, attuned to the
10 situation that's at hand. But
11 for those situations, you know,
12 we'd want to contact --- you'd
13 want to contact the WLPSG
14 basically to assess whether is
15 it real or was it something
16 that, you know, did we lose
17 like six inches of soil in an
18 area or was there, you know, a
19 catastrophic loss of soil. I
20 mean, we have two feet of soil.
21 When you think about two feet,
22 that's a fair amount of
23 ---.

24 MR. DECK:

25 My concern there was

1 just to get an understanding.
2 It's a what if. And do we have
3 to close the park down at that
4 point? Can the kids continue
5 to pay on it? What if?

6 MR. KHONA:

7 Let me make it a little
8 clear. The question you're
9 asking is not pertaining to
10 modification three, we discuss,
11 you know, another Fairlane
12 Avenue. Now you're asking a
13 general question for the site.

14 MR. DECK:

15 For the site.

16 MR. KHONA:

17 I want to make it for
18 the field.

19 MR. FIZZANO:

20 And these are things
21 that we're going to have as far
22 as our own implant for the
23 site. I mean, the implant is
24 not only going to be just what
25 you would suspect as far as

1 routine maintenance for the
2 site, but it's also going to go
3 through emergency notification
4 as far as if there's an
5 emergency with a utility or
6 just we want to put in a new
7 sewer line, you know, and who
8 you call on that aspect. It
9 will give you where
10 contamination is, where the
11 limits of contamination are.
12 We're hoping it's going to be
13 an all-encompassing document
14 that's going to have basically
15 that done and will carry it
16 forward.

17 MR. DECK:

18 I understand all of
19 that. My question really
20 pertains to once it's a
21 township, to get a gulley
22 washer, you know, and we get a
23 deep washout, do we have to
24 shut down or can we keep going?
25 That's my concern. The other

1 item, the digging, is relative.

2 MR. FIZZANO:

3 That would be based on
4 how much is washed out. And
5 that assessment would have to
6 be done by both WLPSG as well
7 as the agency, if it's a major
8 ---

9 MR. DECK:

10 Washout.

11 MR. FIZZANO:

12 --- loss.

13 MR. CORBETT:

14 Clyde, you would always
15 have a number for point of
16 contact at the EPA. There will
17 always be a number available
18 for the Pennsylvania Department
19 of Environmental Protection as
20 well. And I'm sure that the
21 WLPSG would have a point of
22 contact, you know, also.

23 MR. DECK:

24 Okay.

25 MR. CORBETT:

1 If there's ever a case
2 where there's a certain kind of
3 emergency, you know, something
4 happens - - -

5 MS. BROWN:

6 Or a question.

7 MR. CORBETT:

8 - - - you know, or a
9 question, there will always be
10 a place to call.

11 MR. KHONA:

12 When you're in doubt.

13 MR. DECK:

14 The first people that
15 are going to be contacted is
16 Dean, myself or Bill.

17 MS. BROWN:

18 Absolutely.

19 MR. DECK:

20 And then we have to have
21 answers at that point.

22 MR. CORBETT:

23 Sure.

24 MR. YUNASKA:

25 Well, Clyde, a simple

1 answer to your question here,
2 we are responsible for
3 maintaining the integrity of
4 the two-foot soil. If there's
5 any washout, after you guys
6 take it over, we're still
7 responsible for the two-foot
8 soil cover. And we would have
9 somebody come in and make the
10 necessary repairs to make that
11 back to where it was when we
12 left. There's a two-foot
13 protective soil cover.

14 MR. BAMETZREIDER:

15 Ray and I were talking
16 about this earlier, is having
17 regular training for township
18 personnel that they know how to
19 maintain the site, do the
20 routine maintenance and
21 identify any emergency
22 situations.

23 MR. YUNASKA:

24 That's going to be part
25 of the --.

1 MR. DECK:

2 These little things are
3 trivial, but you know, ---.

4 MR. BAMETZREIDER:

5 They're very important.

6 MR. DECK:

7 And I've seen it over
8 here at the trailer where it's
9 not ---. I got a call, hey,
10 there's water running over 422,
11 and we had to address it. And
12 that was a major break.

13 MR. KHONA:

14 I think you mentioned
15 something there, whether you
16 have to shut it down or, you
17 know, if some day the wash ---
18 I think your concern was if
19 something that, you know, need
20 to be repaired and you have to
21 call, probably even whether
22 it's washout or anything else,
23 you may have to shut down the
24 field.

25 MR. CORBETT:

1 Or rope off the area.

2 MR. KHONA:

3 You know, depending upon
4 the area involved. So that's
5 always a possibility.

6 MR. DECK:

7 You guys are not going
8 to come back and fine us then?

9 MR. CORBETT:

10 No, not at all. In
11 fact, that's the whole ---.

12 MS. GAMBOL:

13 Good question.

14 MR. DECK:

15 I wouldn't be saying all
16 this, but we tried to get a
17 park in back there with Strikes
18 and we want to do all kinds of
19 maneuvering there. We got
20 letters ---.

21 MR. BAMETZREIDER:

22 That would have been the
23 Corps of Engineers. That
24 wasn't the EPA.

25 MR. DECK:

1 Within so many days
2 you're going to get fined
3 \$50,000 a day or something like
4 that.

5 MR. KHONA:

6 The responsibility, you
7 know, I mean, as far as my
8 understanding, you know,
9 working with our attorney, the
10 responsibility --- between you,
11 if you notify somebody, that's
12 fine. The little damage, it's
13 not going to ruin the remedial.
14 The whole remedial is pretty
15 intact. You know, little bit
16 here. Somebody puts the pole
17 for volleyball or something
18 like that, it's not going to
19 damage the remedial site. But
20 if you don't address that, it
21 can get worse. So you have
22 sometime, if it is a major
23 event, something happened and
24 all of a sudden there's a
25 mudslide or something, then

1 it's a major event, and then
2 it's a different situation.

3 MR. BAMETZREIDER:

4 Okay. The primary
5 concern ---.

6 MR. KHONA:

7 I think it's ---.

8 MS. BROWN:

9 Speaking on behalf of
10 EPA, I can just basically say
11 I'm pretty confident that when
12 all is said and done and we're
13 actually ready to have this
14 turn it into a recreational
15 field, EPA and all the parties
16 who are involved in this
17 project will be working to get
18 the answers to those specific
19 types of questions. And
20 regardless to operation,
21 maintenance, how to identify
22 areas such as the water impact
23 area that you were talking
24 about with washouts and such.
25 We may not have those answers

1 right now down pat,
2 specifically answered, but we
3 will. We'll be working on
4 those with you.

5 MR. YUNASKA:

6 There's going to be
7 problems that come up that we
8 can't anticipate, and we just
9 work with it.

10 MR. DECK:

11 Well, we have good guys
12 working. And it's just, you
13 know --- this is the place to
14 ask a question, not after the
15 meeting, just for my
16 satisfaction or maybe for ---.

17 MR. KHONA:

18 You have to have a
19 comfort level.

20 MR. DECK:

21 That's exactly right,
22 yes.

23 MS. BROWN:

24 Just so that we don't
25 wear out the fingers of our

1 stenographer here tonight, I'm
2 just going to put out one last
3 call for any questions related
4 to the proposal for the soils
5 underneath Fairlane Avenue.
6 Are there any other questions
7 related to that? Going once?
8 Going twice?

9 MR. MOYER:

10 Sold.

11 MS. BROWN:

12 Three times. Closed.
13 Vivian, you can give your
14 fingers a rest. We'll be glad
15 to stay here and answer any
16 other questions under the sun.

17 * * * * *

18 HEARING CONCLUDED AT 8:22 P.M.

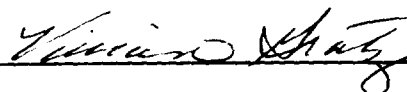
19 * * * * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I HEREBY CERTIFY THAT THE FOREGOING PROCEEDINGS
WERE REPORTED STENOGRAPHICALLY BY ME AND THEREAFTER
REDUCED TO TYPEWRITING AND THAT THIS TRANSCRIPT
IS A TRUE AND ACCURATE RECORD THEREOF.

SARGENT'S COURT REPORTING SERVICE, INC.



COURT REPORTER

AR500438

[illegible]

PHILADELPHIA, PA
WILKES-BARRE, PA
OIL CITY, PA
SOMERSET, PA
CLEARFIELD, PA
CHARLESTON, WV

AR500439